



This is a digital copy of a book that was preserved for generations on library shelves before it was carefully scanned by Google as part of a project to make the world's books discoverable online.

It has survived long enough for the copyright to expire and the book to enter the public domain. A public domain book is one that was never subject to copyright or whose legal copyright term has expired. Whether a book is in the public domain may vary country to country. Public domain books are our gateways to the past, representing a wealth of history, culture and knowledge that's often difficult to discover.

Marks, notations and other marginalia present in the original volume will appear in this file - a reminder of this book's long journey from the publisher to a library and finally to you.

Usage guidelines

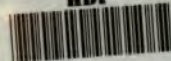
Google is proud to partner with libraries to digitize public domain materials and make them widely accessible. Public domain books belong to the public and we are merely their custodians. Nevertheless, this work is expensive, so in order to keep providing this resource, we have taken steps to prevent abuse by commercial parties, including placing technical restrictions on automated querying.

We also ask that you:

- + *Make non-commercial use of the files* We designed Google Book Search for use by individuals, and we request that you use these files for personal, non-commercial purposes.
- + *Refrain from automated querying* Do not send automated queries of any sort to Google's system: If you are conducting research on machine translation, optical character recognition or other areas where access to a large amount of text is helpful, please contact us. We encourage the use of public domain materials for these purposes and may be able to help.
- + *Maintain attribution* The Google "watermark" you see on each file is essential for informing people about this project and helping them find additional materials through Google Book Search. Please do not remove it.
- + *Keep it legal* Whatever your use, remember that you are responsible for ensuring that what you are doing is legal. Do not assume that just because we believe a book is in the public domain for users in the United States, that the work is also in the public domain for users in other countries. Whether a book is still in copyright varies from country to country, and we can't offer guidance on whether any specific use of any specific book is allowed. Please do not assume that a book's appearance in Google Book Search means it can be used in any manner anywhere in the world. Copyright infringement liability can be quite severe.

About Google Book Search

Google's mission is to organize the world's information and to make it universally accessible and useful. Google Book Search helps readers discover the world's books while helping authors and publishers reach new audiences. You can search through the full text of this book on the web at <http://books.google.com/>



COURT OF ARBITRATION
OF THE
CHARLESTON
CHAMBER OF COMMERCE.

ACT OF THE GENERAL ASSEMBLY
OF THE
STATE OF SOUTH CAROLINA,
TO PROVIDE FOR THE ARBITRATION OF MER-
CANTILE DISPUTES IN THE PORT
OF CHARLESTON,

APPROVED FEBRUARY 12, A. D. 1876,

AND THE

Rules and Forms of Proceedings.

HON. W. ALSTON PRINGLE,

Arbitrator,

WILLIAM EDWARD HAYNE,

Clerk of the Arbitration Court.

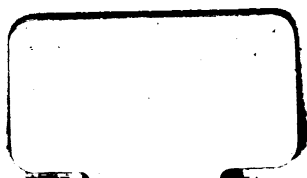
CHARLESTON, S. C.

WANS & COGSWELL, PRINTERS,

BROAD AND 106 EAST BAY STREETS

1876.

5
us/sc
341
E76



South Carolina. Laws, statutes, etc.
= Commercial law

COURT OF ARBITRATION C#
OF THE
CHARLESTON
CHAMBER OF COMMERCE.

ACT OF THE GENERAL ASSEMBLY
OF THE
STATE OF SOUTH CAROLINA,
TO PROVIDE FOR THE ARBITRATION OF MER-
CANTILE DISPUTES IN THE PORT
OF CHARLESTON,
APPROVED FEBRUARY 12, A. D. 1876,
AND THE
Rules and Forms of Proceedings.

HON. W. ALSTON PRINGLE,
Arbitrator.
WILLIAM EDWARD HAYNE,
Clerk of the Arbitration Court.

CHARLESTON, S. C.
WALKER, EVANS & COGSWELL, PRINTERS,
Nos. 3 BROAD AND 109 EAST BAY STREETS.
1876.

S
US/SC
341
E76

53.
135.

C374

COURT

OF THE

CHARLESTON CHAMBER OF COMMERCE.

*AN ACT to Provide for the Arbitration of Mercantile Disputes
in the Port of Charleston.*

SECTION I. *Be it enacted*, by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same, That from and after the passage of this Act, a Court for the hearing and determining of Mercantile Disputes within the City and Port of Charleston, or the Collection District of said Port, as the same is now, or may hereafter be, established by any Act of the Congress of the United States of America, is hereby created, constituted, and established, and the same is hereby authorized to be, a Court of Record, possessing concurrent jurisdiction with the Court of Common Pleas upon all matters of mercantile disputes, as the same are hereby and hereinafter defined.

SECTION II. Any party or parties having a controversy, dispute, or matter of difference upon any mercantile or commercial subject, as hereinafter defined, may summon the opposite party or parties to appear before the Charleston Chamber of Commerce for the settlement of such controversy, dispute, or matter of difference, on a day and hour named in such summons, which shall not be less than two nor more than five days after the personal service of such summons upon such opposite party, or one or two or more parties, jointly interested in the subject matter of the controversy: *Provided*, all

parties are regularly elected members of said Chamber of Commerce; and parties, whether members of such Chamber or not, to any such controversy, dispute, or matter of difference, arising or being within the City or Port of Charleston, or relating to a subject matter situate or coming within said City or Port, as the Collection District of said Port, is now, or hereafter may be, established and limited by Act of Congress of the United States of America, may voluntarily appear before and submit the same to the said Chamber of Commerce, and the said Chamber shall thereupon entertain jurisdiction of such controversy, dispute, or matter of difference, and of the parties thereto.

SECTION III. At the time mentioned in such summons, the party or parties serving such summons shall file such summons, with proof of service, with the Arbitration Clerk, hereinafter provided for, and either party may file with him a written declaration, duly acknowledged, objecting to the jurisdiction of the Chamber of Commerce aforesaid, in the matter mentioned in such summons; and, upon the filing of such written objection, such matter shall be dismissed, and no further proceedings shall be had therein under the provisions of this Act; and if at the time mentioned in such summons, the party or parties named therein, or either of them, do not file such written objection, they and each and every one of them, shall be deemed and held to have fully submitted to the jurisdiction of said Chamber in such matter, and the arbitration hereinafter provided, and the further proceedings therein shall be in accordance with the provisions of this Act; and it shall be competent for any member of a firm to file such objection on behalf of himself and his copartners, and for any agent or attorney in fact, or other representative, to do so on behalf of his principal. A copy of this section of this Act shall be served with, and in the same manner as the summons; but no person, not a member of the said Chamber, shall be deemed to have submitted under the provisions of this section, nor unless he shall voluntarily appear in person, or by attorney, and signify his submission to the jurisdiction of said Chamber.

SECTION IV. Upon the said Chamber of Commerce acquiring jurisdiction, as aforesaid, of any matter pursuant to the provisions of this Act, such matter shall be proceeded upon with dispatch to a settlement by the Arbitrator or Board of Arbitration provided for by the provisions of this Act. The respective parties to such matter shall each be entitled, at the time of submitting to such jurisdiction, as herein provided, to nominate and appoint in writing one person to sit with the Arbitrator, to hear and determine the matter, and the award made by them, or the majority of them, shall be deemed and held to be the award therein; and if the said parties refuse, or neglect to nominate and appoint, each, one person, as aforesaid, then they shall be deemed and held to have waived their rights to do so, and the matter shall proceed before the Arbitrator, hereinafter provided for, as sole Arbitrator, to hear and determine said matter. Adjournments may be had upon reasonable cause shown, but if any person named by either party shall fail to appear at the time set for the hearing of the matter, without good reason shown for such failure, to the satisfaction of the Arbitrator, and that the same is only of a temporary nature, his nomination and appointment shall thereupon be declared and held to be vacated, and the same party shall forthwith nominate and appoint another person to act in his place; and upon failure to do so, the Arbitrator hereinafter provided for shall appoint a disinterested person, not of kin to either party, to act in his place, and upon failure of one party to nominate a person to sit with the Arbitrator, when the opposing party has nominated such a person, then the Arbitrator, hereinafter provided for, shall appoint a disinterested person, not of kin to either person, and not nominated by the opposing party, to act as a member of the Board of Arbitration, and the matter shall proceed as if such party had appointed such person to act. The persons appointed by, or for the respective parties, shall be duly sworn before the Arbitrator, honestly, truly, and fairly to hear and determine the matter thus submitted to them, and their oaths, subscribed by them respectively, shall be filed with the award in such matter. The Arbitrator shall

have full power to administer oaths and affirmations, and to take the proof and acknowledgment of all charter parties, marine protests, contracts, and other written instruments, and to issue subpoenas for witnesses to appear and testify, with like effect and penalties as subpoenas issued by courts of justice. All wilful false swearing, in any proceeding under the provisions of this Act, shall be deemed and held to be wilful perjury, and indictable and punishable as such.

After the allegations and proofs of the respective parties have been heard, the Arbitrator shall have power, upon notice to both parties, to summon any person to give testimony before the Arbitrator, or the Board, if he or they shall deem such additional testimony necessary to enable them to do justice between the parties. After the final hearing the Arbitrator, or Board, or a majority thereof, shall make an award, in writing, under his or their hands, stating the settlement of the controversy, dispute, or matter of difference heard and determined by him or them, and file the same within five days after such final hearing, with the Arbitration Clerk, hereinafter provided for, and if the said award shall construe any contract or require either party, or both parties, to do or forbear doing a particular act or acts, or to pay a sum of money, the Arbitrator hereinafter mentioned, shall, at the request of either party, make an order to that effect, and otherwise to carry out the provisions of the award, which order shall, at the instance of either party, be filed by such party in the office of the Clerk of Court of Common Pleas in and for the county wherein such arbitration is held, and it shall be the duty of the said Clerk of the Court of Common Pleas, upon being paid his fees therefor, to docket such order. If such order shall require the payment of a sum of money, or the delivery of any property, any party may enter up in the manner now prescribed by law for entering judgments of the Circuit Court, a judgment against the party or parties required to pay such sum of money, or deliver any property, and in favor of the party or parties to whom it should be paid or delivered, and execution may thereupon be issued and enforced thereon as and with like effect and validity as

on a judgment of the Circuit Court entered up in said office, and the said judgment shall, in other respects, conform to said orders, and when so entered, have the same force and effect as a judgment of the Circuit Court of similar purport, and shall be enforced in the same methods and by the same processes and officers, and upon the payment of the fees now allowed by law. And in case any such order shall be filed and judgment entered thereon, as aforesaid, in the said Court of Common Pleas, the same may be satisfied of record and discharged in the same manner as judgments of the Circuit Court are or may be satisfied and discharged. Judgments entered in conformity with these provisions shall not be subject to be removed, reversed, modified, or in any manner appealed from by the parties thereto, except for frauds, collusion or corruption of said Arbitrator or Board, or either of them.

SECTION V. The award of the Arbitrator, or Board, as provided for in this Act, shall be binding and conclusive upon all parties thereto, and shall effect and secure a final settlement of the matter submitted under the provisions of this Act, for his or their decision or award, and shall be upheld and sustained in all the Courts of this State; but the Arbitrator, hereinafter provided for, shall have power, for good cause shown, upon notice to and hearing the parties, to suspend and defer making the order for carrying out the provisions of the award, and to order that the cause be heard again, before the same, or other persons to be nominated and appointed, as allowed by this Act, in the case of the first hearing. But the party applying for such re-hearing shall stipulate to pay all the costs and expenses of the other party or parties, incident to such re-hearing, and shall give security therefor, and for the payment or performance of any award which shall be rendered against such applying party, or judgment which shall be entered thereon, in such amount and form as shall be approved by the said Arbitrator. Upon such re-hearing, similar proceedings shall be had as in the case of the first hearing, and all the provisions of this Act applying to the first hearing, the award, the order, and subsequent proceedings thereon,

shall apply similarly in and to all cases of re-hearing. On the first hearing, no costs shall be allowed to either party.

SECTION VI. The Recorder of the City of Charleston shall be, and is hereby declared to be, *ex officio* Arbitrator of the Charleston Chamber of Commerce, and he is hereby authorized, empowered and directed to have and perform the functions, duties and powers provided for in this Act, in connection with his said office. The Governor shall commission such person as may be elected by the Charleston Chamber of Commerce, to be the Arbitration Clerk of the said Chamber, and such person shall take and subscribe an oath faithfully to perform his duties under this Act, which oath shall be filed in the office of the Secretary of State, at Columbia. The said Clerk shall safely and correctly keep all the minutes, documents, records, books, and other papers and effects of the arbitration and of the Board provided in this Act, and relating to the arbitrations which may be had hereunder: and the sittings and business of the said Arbitrator and Board shall be had and conducted, and the office of the said Clerk shall be, in a building or room provided by the said Chamber of Commerce, at its own proper expense and charges; and the compensation of the Clerk shall be a docket fee of five (\$5.00) dollars for each case, and also such other and further sum for labor as the Arbitrator or Board of Arbitration shall allow in any case; and he shall be subject to removal by said Chamber for cause, whereupon they shall elect his successor, who shall be commissioned as aforesaid. The Arbitrator shall devise and adopt a seal, which shall be the seal of this office, and be used to authenticate all awards and orders made pursuant to this Act, and copies and certifications thereof, and in all Courts and places, any instrument sealed with such seal, and signed by such Arbitrator, shall be received as *prima facie* evidence of the existence of such award or order, and of the contents thereof, and shall have the same force and effect as the original thereof. Upon the application of the parties interested, or their representatives, the said Arbitrator shall interpret and construe any parol or written contract pertaining to any matter which might be the subject of arbitration, under the provisions of this Act.

SECTION VII. The said Arbitrator shall adopt short and simple forms and rules, to be observed in proceedings under this Act, and shall have the power to do and order whatever may be necessary to carry out its provisions. In all cases where an immediate hearing is desired by both parties, or is practicable, it shall be had. The same punishment shall be inflicted upon any person convicted of stealing, mutilating, or altering the books, records, or papers herein directed to be filed with or kept by the Clerk of Arbitration, as are or may hereafter be by law annexed to similar Acts in regard to records in the office of the Clerk of the Court of Common Pleas. Nothing in this Act shall be construed to give any jurisdiction to the Charleston Chamber of Commerce, to the Arbitrator, or Board, except upon the voluntary submission and election of the parties, as provided for in this Act; nor shall any minor, married woman, nor person of unsound mind, nor any matter pertaining to a fee or life tenancy in real estate, nor wherein the title to real estate is concerned, be brought before such Arbitrator, or Board of Arbitration; nor shall any cause or matter submitted to the Arbitrator, or Board, as provided in this Act, be subject to removal by or to the jurisdiction of any of the Courts of this State, except as herein provided; nor shall this Act apply to any cause or matter which shall be pending in any of the Courts of this State, or before any Arbitration Committee established by law previous to the serving of the summons, as provided in this Act. The voluntary submission to Arbitration of the particular cases contemplated in this Act, and in the methods herein provided, need not be in writing, otherwise than as herein provided. This Act shall not be held to repeal the existing statutes in relation to Arbitration. Commissions to take testimony allowed by the Arbitrator, may be issued in the same manner, and with the same effect as in Courts of Record. Witnesses shall be entitled to the same costs as in said Courts. No person not a regularly elected member of said Chamber of Commerce shall be nominated or appointed by any party to a cause to sit with the Arbitrator, as herein-before provided.

SECTION VIII. That the said Court shall have jurisdiction as hereinbefore provided over all disputes or matters of difference upon any mercantile or commercial subject, as the same are herein defined, that is to say, over all matters of accounts, promissory notes, bills of exchange, and other negotiable paper, policies of assurance, charter parties and other contracts concerning freight, either express or implied, bills of lading and other contracts, express or implied, concerning the delivery of goods, wares and merchandise brought into the State in ships, or vessels, or otherwise, from a sister State, or from a foreign port, contracts of bailment of every kind and description soever, controversies in regard to telegraphic dispatches, and generally all commercial contracts, and all matters between merchants and persons in trade, arising out of or being in due course of business.

Approved the 12th day of February, 1875.

STATE OF SOUTH CAROLINA, }
 OFFICE SECRETARY OF STATE. }

I, H. E. Hayne, Secretary of State, do hereby certify that the foregoing is a true and correct copy of the original Act now on file in this office.

Given under my hand and the seal of the State, at Columbia, this 19th day of February, 1876, and in the one hundredth year of American Independence.

[Seal.]

H. E. HAYNE,

Secretary of State.

COURT

OF THE

CHARLESTON CHAMBER OF COMMERCE,

SOUTH CAROLINA.

RULES AND FORMS OF PROCEDURE.

RULE I.

Submission of Controversy.

Parties having a controversy, dispute, or matter of difference, arising or being within the City and Port of Charleston, and the Collection District of the same, as defined in the Acts of Congress, and the Act establishing this Court, may voluntarily submit the same to the said Court,

1. By subscribing a written submission, acknowledging the same before the Clerk of the said Court, and filing the same with the Clerk of the Court. The submission may be in the form suggested in the Appendix, or in any similar form, stating the substance of the dispute; which submission must be filed with the Clerk of the Court.

2. Or, the parties may appear in open Court, and orally submit the controversy between them, when the substance of the submission will be entered in the Minutes.

RULE II.

Proceedings between Members of the Chamber.

1. Any member of the Chamber of Commerce, having a dispute, controversy, or matter of difference, with any other member, or members, upon any mercantile or commercial

subject, may summon said opposite party, or parties, to appear before the Court for the settlement of such controversy, dispute, or matter of difference, by a written or printed summons, directed to the opposite party, or parties, requiring him, or them, to appear before the Court of the Charleston Chamber of Commerce for the settlement of such controversy, dispute, or matter of difference, at a place, day and hour named in the summons, not less than two, or more than five, days after the personal service of the same.

2. The summons must be subscribed by the party, or parties, if more than one, or by his, or their, attorney, and may be in the form suggested in the Appendix, or any similar form. It must be served personally upon the opposite party, or parties, and each of them, by leaving a copy with the person served; service upon any member of a copartnership, at the copartnership place of business, within business hours, shall be sufficient as against the copartnership.

3. The service must be proved either by an acknowledgment signed by the party served, or the affidavit of the person serving the same; such acknowledgment, or affidavit, to be endorsed on the summons.

4. A copy of the 3d Section of an Act entitled an Act to provide for the Arbitration of Mercantile Disputes in the Port of Charleston, approved 12th February, 1876, shall be served along with the summons.

5. The original summons, with the proof of service thereon, must be filed with the Clerk of the Court within a reasonable time, from the time of service.

6. Any member of the Chamber of Commerce, duly served, who shall not, prior to the day named for the hearing, file with the Clerk of the Court a written declaration, signed by himself, or his attorney, objecting to the jurisdiction of the Court, shall be deemed to have submitted to the jurisdiction of the same Court, and the hearing shall proceed as if he had appeared and submitted thereto. And a notice of the provisions of this rule shall be appended to each summons served on a member of the Chamber.

RULE III.

Proceedings between Parties who are not Members of the Chamber.

1. Parties who are not members of the Chamber may avail themselves of the powers of the Court by complying with the requisitions of Rule I.

2. Summons may be issued against parties who are not members of the Chamber by complying with all the provisions of these rules which apply to parties who are members of the Chamber, *except* that where the party served with summons is not a member of the Chamber, he shall be notified by writing, endorsed on the said summons, that unless he shall appear and submit to the jurisdiction of the Court no further proceedings shall be taken against him. *And unless* the party who is not a member of the Chamber, and who is served with summons as is herein provided, shall at any time prior to the day appointed for a hearing, file a declaration signed by himself or his attorney, submitting to the jurisdiction of the said Court, no farther proceedings shall be had against him.

RULE IV.

Additional Arbitrators.

If either party desire that the case be heard by a Board of Arbitrators, instead of being heard by the official Arbitrator alone, such party may appoint one additional Arbitrator, and the adverse party shall also appoint an additional Arbitrator, pursuant to the aforesaid Act. Such appointment must be made before the hearing of the case is commenced, and in accordance with the forms suggested in the Appendix.

No person not a member of the Charleston Chamber of Commerce shall be named to sit with said Board of Arbitrators.

RULE V.

Pleadings.

The only pleadings required are the statement of the controversy in the submission, or in the summons, which shall state the controversy, dispute, or matter of difference, with

sufficient clearness, and at such length, as to apprise the opposite party fully thereof, and of the relief demanded. But either party may make any allegations in the nature of a pleading, not inconsistent with the submission, at any time before the hearing is begun, and the Court has power to amend the pleadings on proper application.

RULE VI.

When Verification or Reply Necessary.

When the pleading is in writing it may or may not be verified; and if verified, the answer or reply to the same shall be verified. A reply to an answer shall be necessary only when a counter-claim is asserted.

RULE VII.

Proofs.

Any evidence required by either party may be taken, but immaterial or irrelevant evidence will not be considered in making the decision and award.

RULE VIII.

Duties of the Clerk.

The Clerk shall keep a "Docket Book," in which he shall enter all the papers filed in any cause, with the date of filing, and by whom. He shall also keep a "Minute Book," in which shall be entered the minutes of the proceedings of the Court. He shall also keep an "Award Book," in which shall be duly recorded all the awards made by the Court. All of which said books must be provided with proper indices.

At the final hearing of any cause the Clerk shall take the papers of such cause and file them away together, and endorse the bundle with the name of the cause and the date of the trial, and keep an Index Book to the Record, in his office, with proper reference to the shelf and number of any record.

RULE IX.

Fees of the Clerk.

The party, or parties, filing, or making any submission, or filing the return to any summons, shall, at the time of filing or making the same, pay to the Clerk a docket fee of five dollars, to be included in the final award of the Court. The Clerk shall also be allowed such other and further sum for labor as the official arbitrator or the Court may allow.

RULE X.

Rehearing.

Any party desiring a rehearing shall, within two hours after the announcement of the award, notify the opposite party in writing, and the Clerk, and at the same time shall give the security as required by Section 5 of the said Act.

A motion for rehearing may then be made within five days' notice to all parties concerned, and a rehearing granted, if good cause be shown therefor.

RULE XI.

Judgment Records.

When an award is filed with the Arbitration Clerk, any party desiring it may prepare an order similar in form to that suggested in the Appendix, for the purpose of filing with the Clerk of Common Pleas in and for the County in which the arbitration is held, which judgment may be entered and enforced, as authorized by the said Act. Such order or judgment must be sealed with the seal of the Court, and duly signed by the Clerk of the Court of the Chamber of Commerce, before it is filed with the Court's Clerk.

RULE XIII.

Executions.

Writs of executions upon the said judgments shall be enforced in the same methods and by the same processes and officers, and upon the payment of the fees now allowed by law.

RULE XIII.

Motions and Orders.

Motions made or to be made before the Arbitrator of the Chamber on two days' notice to the opposite party.

RULE XIV.

Subpœnas and Commissions.

All subpœnas, writs, and commissions to take testimony, sued out of the said Court, shall run in the name of the Arbitrator of the Charleston Chamber of Commerce, and shall be signed by the Clerk of the said Court, and sealed with the seal thereon.

RULE XV.

General Rules of Practice.

General rules of practice will be so administered as to give just and full opportunities to all parties to make their allegations and produce their proofs.

RULE XVI.

Cases on which there is no Jurisdiction.

1. When a summons issues, the dispute must relate to a mercantile or commercial subject, and must be between members of the Chamber, otherwise there is no jurisdiction, unless by consent in writing.
2. When a controversy is submitted, whether between members of the Chamber or not, it must have arisen within the City and Port of Charleston, or the Collection District of the said Port.
3. No minor, married woman, or person of unsound mind, can be brought before the Court.
4. No matters pertaining to a fee, or life tenancy in real estate, can be the subject of jurisdiction.

FORMS.

FORM—SUMMONS.

THE STATE OF SOUTH CAROLINA.

IN THE COURT OF THE CHARLESTON CHAMBER OF COMMERCE.

Charleston, S. C.

A . . . B . . .	Member of the Charleston Chamber of Commerce, <i>against</i>	} <i>Summons.</i>
C . . . D . . .	Member of said Chamber.	

To C . . . D . . .

You are hereby required, pursuant to the provisions of an Act of the General Assembly, entitled An Act to provide for the Arbitration of Mercantile Disputes in the Port of Charleston, approved 12th February, A. D. 1876, to appear before the Court of the Chamber of Commerce, of the said City of Charleston, at its Court rooms in the City of Charleston, on the . . . day of . . . A. D. 187 ., at . . . o'clock, . M. to submit all matters of difference between the parties above named, touching a certain (*here state the subject matter of dispute, and the relief demanded,*) and to stand to, abide, and perform, the award in that behalf to be made by the said Court, and to any order or judgment of the said Court, pursuant to the said Act.

Dated Charleston, S. C . . . day of . . . A. D. 187 .

A . . . B . . .

Endorsement on Summons.

THE STATE OF SOUTH CAROLINA.					
In the Court of the Charleston Cham-					
ber of Commerce.					
A B					
	vs.				
C D					
		SUMMONS.			
			Date of Filing.		
				Name of Attorney, if any.	

Acknowledgment of Service (to be endorsed on Summons.)

I (or we) acknowledge the receipt of a copy of the within Summons and Section of Act.

(Date) *Signature of party or parties served.*

Affidavit of Service (to be endorsed on Summons.)

I, , do make oath that I served a copy of the within Summons, Notice, and Section of Act, on the within named

Signature of person swearing.

Sworn and subscribed before me, this . . . day of . . .
A. D. 187 .

[Seal of Notary.]

Signature of Notary.

Declaration of person chosen to sit as additional Arbitrator.

(Title of Cause)

A . . . B . . . , the plaintiff, names to sit as additional Arbitrator in the above cause.

(Date) *Signature of Plaintiff or Attorney.*

Declaration of person chosen to sit as additional Arbitrator, and submission to jurisdiction by party not a member of the Chamber.

(Title of Cause.)

C . . . D . . . , defendant, submits to the jurisdiction of the Court of the Charleston Chamber of Commerce, and names to sit as additional Arbitrator in the above cause.

(Date) *Signature of Defendant or Attorney.*

Objection to Jurisdiction.

(Title of cause.)

I (or we) object to the jurisdiction of the Court of the Charleston Chamber of Commerce in the above cause.

Date *Signature of party or his attorney.*

Subpœna Writ.

THE STATE OF SOUTH CAROLINA.

CITY OF CHARLESTON.

THE STATE OF SOUTH CAROLINA.

To

You, and each of you, are hereby required and firmly enjoined that, all business being laid aside, and all excuses ceasing, you do, in your proper person, appear before the Court of the Charleston Chamber of Commerce, to be holden at . . . in the said City of Charleston, on the . . . day of . . . next, at the hour of . . . M., then and there to testify the truth, according to your knowledge, in a certain case now pending between . . . plaintiff and . . . defendant, and on the part and behalf of the . . . Herein fail not on the pain of the forfeiture of ten pounds proclamation money, as well as the consequences that may fall thereon.

Witness, . . . Arbitrator of the said Court, at the City of Charleston, in the State aforesaid, the . . . day of . . . in the year of our Lord, one thousand eight hundred and . . . and in the . . . year of the Sovereignty and Independence of the United States of America.

[Seal.]

Signature of Clerk of the Court.

THE STATE OF SOUTH CAROLINA,

IN THE COURT OF THE CHARLESTON CHAMBER OF COMMERCE.

A	B	} <i>Submission.</i>
	<i>vs.</i>	
C	D	

A controversy, dispute, or matter of difference, between the undersigned, having arisen with the City and Port of Charleston, or the Collection District of the said Port, the nature of which is as follows :

.

We do hereby voluntarily submit the same, and all matters concerning the same, to the said Court of the Charleston Chamber of Commerce, pursuant to the provisions of an Act of the General Assembly of the said State, entitled An Act to Provide for the Arbitration of Mercantile Disputes in the Port of Charleston, approved 12th February, 1876. And we agree to stand to, abide by, and perform the decision, award, order, orders, and judgment, that may therein and thereupon be made, under, pursuant to, and by virtue of, the said Act.

Dated at Charleston, aforesaid, this day of A. D. 187 .

Signatures of the parties.

CITY OF CHARLESTON.

On this day of A. D. 187 .
the above named
known to me to be the persons described in, and who executed, the above submission, personally appeared before me and severally acknowledged that they had executed the same.

[SEAL.]

Signature of the Clerk of the Court.

Additional Arbitrators to sit with the official Arbitrator, to hear and determine the matter above submitted, are hereby appointed as follows:

., on the part of the Plaintiff.
, on the part of the Defendant.

Dated at Charleston, aforesaid, the day of ,
 A. D. 187.

Signatures of all the parties.

THE STATE OF SOUTH CAROLINA.

IN THE COURT OF THE CHARLESTON CHAMBER OF COMMERCE.

A	B	}	<i>Oath of Additional Arbitrators.</i>
<i>vs.</i>			
C	D		

E F and G H , chosen to sit with the Arbitrator by the parties to this cause, being duly sworn, say that they will impartially, honestly, truly, and fairly hear and determine the matters submitted herein by the said parties.

Subscribed and sworn to, this day of , A. D.,
 187 . . before me,

Official Arbitrator of the said Court.

THE STATE OF SOUTH CAROLINA.

IN THE COURT OF THE CHARLESTON CHAMBER OF COMMERCE.

A . . .	B . . .	} <i>Award.</i>
<i>vs.</i>		
C . . .	D . . .	

The above named parties having, on the . . . day of . . . , A. D. 187 . . , pursuant to the provisions of an Act of the General Assembly of the said State, entitled An Act to Provide for the Arbitration of Mercantile Disputes in the Port of Charleston, approved 12th February, A. D. 1876, submitted to the said Court the matters in controversy between them, touching . . . as by their submission and the papers in this matter more fully appears.

Now, the undersigned, Arbitrator of the said Court, and the persons appointed by the parties as additional Arbitrators, to sit with him, (they having been first duly sworn according to law,) having heard the allegations and proofs of the respective parties and decided the matters in controversy between the said parties, do state the settlement thereof, and make this award in writing, and decide, determine, and award, that . . .

Dated at Charleston aforesaid this . . . day of . . .
A. D. 187 . . .

*Arbitrator of the Court of the
Charleston Chamber of Commerce.*

.	} <i>Additional Arbitrators.</i>
.	

THE STATE OF SOUTH CAROLINA.

IN THE COURT OF THE CHARLESTON CHAMBER OF COMMERCE.

A . . .	B . . .	} <i>Order.</i>
	<i>vs.</i>	
C . . .	D . . .	

This matter having been duly heard and determined, pursuant to the provisions of an Act of the General Assembly of the State, entitled An Act to Provide for the Arbitration of Mercantile Disputes in the Port of Charleston, approved 12th February, A. D. 1876, and the award and decision having been made and filed with the Clerk of the said Court, as required by law, by which award it was determined that

Now, for the purpose of carrying out and enforcing the said decision and award, and at the request of the said in whose favor the said award and decision was made :

It is ordered, that the parties herein stand to, abide by, and perform, the said decision and award, and that the said . . .

. do fulfil the same by
And that the Clerk of the Court of Common Pleas for the County of upon being paid his fees therefor, do file and enter this order in his office and docket the same, and that the said have judgment against the said in accordance with the terms of this order, which judgment has the same effect as a judgment of the Circuit Court of similar purport.

Dated at Charleston aforesaid, this . . . day of
A. D. 187

*Arbitrator of the Court of the
Charleston Chamber of Commerce.*

APPENDIX

FORMATION

OF THE

CHAMBER OF COMMERCE.

A number of merchants met in Charleston, on the fourth day of February, 1784, and agreed to call a meeting of the gentlemen then engaged in trade. This meeting was held on the sixth day of February, 1784, when the design was proposed of instituting a Chamber of Commerce, which was approved of, and the following gentlemen elected from the whole body were declared to be a Chamber of Commerce, viz :

Alexander Gillon, John Lewis Gervais, William Logan, William Hort, John Dawson, Daniel Bordeaux, James Neilson, Robert Pringle, John Lloyd, Joseph Atkinson, Daniel Hall, Samuel Legare, and Edward Darrell.

The Chamber then framed and ratified Rules for their government, which Rules were signed by the following members, with their respective seals against each signature :

A. Gillon.	John Mitchel.
John Lewis Gervais.	Henry Kerrison.
Wm. Hort.	Robert Hazelhurst.
Daniel Bordeaux.	William Crafts.
James Neilson.	Robert Stewart.
R. Pringle.	Arch'd Brown.
Wm. Somarsall.	Wm. Macloud.
Thos. Stewart.	Thos. Corbett.
James Theus.	James Hamilton.
J. A. Gregorie.	Quintin Hamilton.

Daniel Jennings.	Samuel Prioleau.
Roger Smith.	Josias Sturgis.
Jos. Atkinson.	David Lamb.
Daniel Hall.	John Gardner.
Samuel Legare.	John Bold.
Edward Darrell.	Arch'd Campbell.
Wm. Logan.	Adam Gilchrist.
James Simons.	Joshua Hargreaves.
John McCall, Jr.	Jno. Fabre.
Felix Warley.	J. Miller.
A. E. Van Braam-	Adam Tunno.
-Houckgeest.	Wm. Tunno.
John Edwards, Jr.	John Moncrieffe.
James Wakefield.	David McCredie.
Harry Grant.	J. Ward.
Benj. Matthews.	G. W. Heintzen.
Alexander Rose.	Ed. Penman.
Ralph Dawes.	John Berney.
William Brailsford.	David Alexander.
James Anderson.	Wm. Presstman.
Andrew Pleym.	Chas. G. Corrie.
John Schultz.	S. Smith.
John Edwards.	Wm. Thayer.
G. Hooper.	Geo. Forrest.
Thomas Morris.	Jno. M. Davis.

OFFICERS.

At a meeting held at the City Tavern, Friday, February 6th, 1784, the following gentlemen were elected officers of the Chamber :

ALEXANDER GILLON, *President.*

JOHN LEWIS GERVAISE, *Vice-President.*

WILLIAM HORT, *Treasurer.*

SAMUEL LEGARE, *Secretary.*

AN ACT

To Revive and Renew the Charter of the Charleston Chamber of Commerce :

Be it enacted by the Senate and House of Representatives of the State of South Carolina, now met and sitting in General Assembly, and by the authority of the same : That the charter of the Charleston Chamber of Commerce be, and the same is hereby revived, and renewed for the term of fourteen years, and that all the Acts of the Charleston Chamber of Commerce done in its corporate capacity since the expiration of its former charter be, and the same are hereby confirmed and declared as good and valid as if the former charter had not expired.

Approved the 23d day of February, A. D. 1875.

STATE OF SOUTH CAROLINA, }
 OFFICE SECRETARY OF STATE. }

I, H. E. Hayne, Secretary of State, do hereby certify that the foregoing is a true and correct copy of the original now on file in this office.

Given under my hand, and the seal of the State, at Columbia, this twenty-fourth day of March, A. D. 1875, in the ninety-ninth year of American Independence.

H. E. HAYNE,

[L. S.]

Secretary of State.

OFFICERS AND MEMBERS
OF THE
CHARLESTON CHAMBER OF COMMERCE.

FEBRUARY 7TH, 1876.

OFFICERS.

President.

SAMUEL Y. TUPPER.

First Vice-President.

E. HORRY FROST.

Second Vice-President.

F. J. PELZER.

Secretary and Treasurer.

P. J. BARBOT.

Committee on Appeals.

George A. Trenholm.

Wm. Ravenel.

Theodore Huchet.

Wm. C. Bee.

Henry Gourdin.

Jas. T. Welsman.

Committee on Charity.

W. A. Courtenay.

T. D. Jervey.

Theo. D. Wagner.

A. F. Ravenel.

J. H. Wilson.

Committee on Reading Room.

John Hanckel.

S. L. Howard.

C. Graveley.

R. M. Marshall.

W. J. Middleton.

Committee on Club Room.

Geo. H. Walter. E. C. Williams.
 T. Huchet.

Committee on Direct Trade.

Wm. L. Trenholm. Geo. W. Williams.
 J. N. Robson.

MEMBERS.

Honorary Member.

HON. WM. AIKEN.

Alexander, R. M.	Aimar, Geo. W.
Adger, A. M.	Amory, G. W.
Armstrong, Arch'd	Andrews, A. O.
Aiken, J. D.	Aichel, Oskar A.
Barker, Theo. G.	Bischoff, H.
Budd, T. S.	Borneman, W.
Barbot, P. J.	Brawley, Wm. H.
Bee, Wm. C.	Boylston, J. Reed.
Bulwinkle, H.	Bacot, T. W.
Bowman, Geo. A.	Barcklay, R. C.
Bird, Wm. M.	Burdell, F. M.
Brotherhood, F.	Barnwell, Arthur
Butler, R. M.	Burden, Wm. B.
Bacot, R. Dewar.	Berry, Capt. Jas.
Caldwell, A. P.	Cohen, J. Barrett
Courtenay, W. A.	Card, Henry
Chisolm, H. L.	Chapman, James
Creighton, A. J.	Coffin, G. S.
Colcock, C. J.	Colburn, J. H.
Claussen, J. C. H.	Canale, A.
Cohen, Anslie D.	Campbell, Jas. B.
Chadwick, Jno.	Chapeau, T. T.

- | | |
|------------------------|----------------------|
| Campbell, Jos. | Cherry, W. J. |
| Cameron, Arch. | Crawley, Geo. F. |
| Caldwell, W. R. | Cochran, J. C. |
| DeSaussure, L. D. | Durham, S. A. |
| DeSaussure, W. G. | Dawson, F. W. |
| Dill, Jos. T. | Downey, F. T. |
| DeSaussure, W. P. | Devereaux, J. H. |
| Damon, Q. A. | |
| Eason, Jas. M. | |
| Frost, E. H. | Follin, G. A. |
| Fraser, F. E. | Frost, H. W. |
| Ford, A. B. | Fatman, Wm. |
| Fairly, J. S. | Ford, J. D. |
| Gourdin, H. | Gurney, Wm. |
| Gourdin, R. N. | Graveley, C. |
| Gibbes, Jas. S. | Goldsmith, A. A. |
| Green, R. M. | Grimball, Berkley |
| Glidden, C. H. | Gibbes, Geo. E. |
| Gilliland, D. P. | Glover, Wilson |
| Huchet, Theo. | Holmes, Wm. P. |
| Howard, Lee | Hanckel, C. E. |
| Howard, S. L. | Hill, C. A. |
| Hall, Wm. P. | Holmes, W. E. |
| Huger, C. K. | Holmes, Jr., Jas. G. |
| Hanckel, J. | Hyde, Jos. B. |
| Hume, E. B. | Henry, C. W. |
| Ingraham, Jr., Geo. H. | |
| Jervey, Theo. D. | Johnston, A. S. |
| Jones, W. H. | Jervey, Eug. P. |
| Kelly, W. A. | King, W. Mc. |
| Kaufman, A. C. | King, Wm. L. |
| Kerrison, C. | Kinsman, H. W. |
| Klinck, G. W. | |

Lafitte, Edwd.
 Lege, Jno. G.
 Lowndes, C. T.
 Laidler, Wm.
 Lawton, W. M.

Mowry, L. D.
 Murrell, Jas. H.
 Middleton, W. J.
 Muckenfuss, W. G.
 McCrady, Jr., Ed.
 Magrath, W. J.
 McCrady, L. B.
 Milliken, E. P.
 McCormack, W. J.
 Miles, E. Scott.

Nisbet, D.

O'Brien, T. S.

Pinckney, R. Q.
 Pinckney, B. G.
 Pelzer, F. J.
 Pinckney, Hopson.
 Pinckney, Jr., C. C.,

Ravenel, A. F.
 Ravenel, Wm.
 Ryan, W. K.
 Rodgers, F. S.
 Ravenel, Jr., Dan'l.
 Ravenel, J. R. P.
 Ravenel, W. P.
 Riggs, Jno. S.

Sherfese, L.
 Simonds, And.
 Street, Thad.
 Sweegan, E. F.
 Street, Timothy.

Leary, C. C.
 Lengnick, A.
 Lee, Hutson.
 Lebby, Wm.
 Luhn, G. J.

Murdoch, J. S.
 Mowry, A. H.
 Miles, C. R.
 Marshall, E. W.
 Macqueen, Peter.
 McLoy, Alex.
 Mure, R. D.
 Middleton, H. A.
 Marshall, R. M.

Norwood, G. A.

O'Connor, M. P.

Porter, W. D.
 Prioleau, W. H.
 Perry, Ed.
 Parker, J. H.
 Pringle, W. Alston.

Ravenel, S. P.
 Read, J. R.
 Riordan, B. R.
 Robson, J. N.
 Ravenel, James.
 Robertson, N. C.
 Robertson, Jas. L.
 Roberts, David.

Seigling, H.
 Sebring, Ed.
 Street, H. G.
 Smith, D. E. H.
 Snowden, T. G.

Smyth, J. Adger
 Steinmyer, J. H.
 Steedman, W. K.
 Seignious, F. P.
 Stanland, T. W.

Trenholm, G. A.
 Trenholm, W. L.
 Taft, A. R.
 Tupper, S. Y.
 Tobias, Jos. L.
 Turner, Thos.
 Tavel, R. A.
 Tobias, A. L.

VonKolnitz, Geo. F.

Wunderlich, C. E.
 Waltjen, E.
 Wragg, Saml.
 Wulburn, C.
 Witsell, T. L.
 Wells, J. Seabrook
 Williams, E. C.
 West, C. H. Jr.
 Walker, L. J.
 Welsman, Jas. T.
 Willis, E.
 Williams, Geo. W.
 Wilson, Jas. H.

Young H. E.

Zimmer, Louis.

Simons, S. Wragg
 Sheppard, J. L.
 Smith, A. Sidney
 Simonton, C. H.
 Schirmer, J. S.

Taft, A. W.
 Trenholm, P. C.
 Thompson, Jno. M.
 Talmage, V. N.
 Thayer, Wm.
 Tobias, V. J.
 Taylor, F. E.
 Toale, P. P.

E. Willis

Wardlaw, W. A.
 Williams, W. B.
 Witte, C. O.
 Wilkins, B. G.
 Whilden, W. W.
 Walker, C. I.
 Walker, Geo. R.
 Wilkinson, Willis.
 Williams, H. T.
 Walter, Geo. H.
 Witte, Geo. W.
 Witte, A. F.
 Walter, Eug. R.

Young, L. G.

[PRIVATE CIRCULAR FOR MEMBERS ONLY.]

CHARLESTON, S. C., 19TH FEBRUARY, 1879.

To the Members of the Charleston Chamber of Commerce:

GENTLEMEN—At the Anniversary Meeting, held on the 10th inst., President Tupper in the Chair, the following Resolutions were proposed by Vice-President Courtenay:

Resolved, That an invitation be extended to the Hon. George W. McCrary, of Iowa, Secretary of War, and the Hon. R. W. Thompson, of Indiana, Secretary of the Navy, to visit Charleston at their early convenience.

Resolved, That the Officers of this Chamber act as a special Committee to carry into immediate effect this action, in such manner as they may think best.

The Resolutions were seconded by ex-President Andrews, and unanimously adopted.

It had been suggested to me by influential parties that such an invitation would be greatly appreciated by these members of the Cabinet, and that good would come of their visit to Charleston.

At a meeting of the Officers on the 14th, I was surprised to find that President Tupper disapproved of the matter, and wished the invitation postponed, and that First Vice-President Frost and Secretary Barbot acquiesced in the President's views.

On the 15th inst. I received the accompanying letter:

CHARLESTON CHAMBER OF COMMERCE,

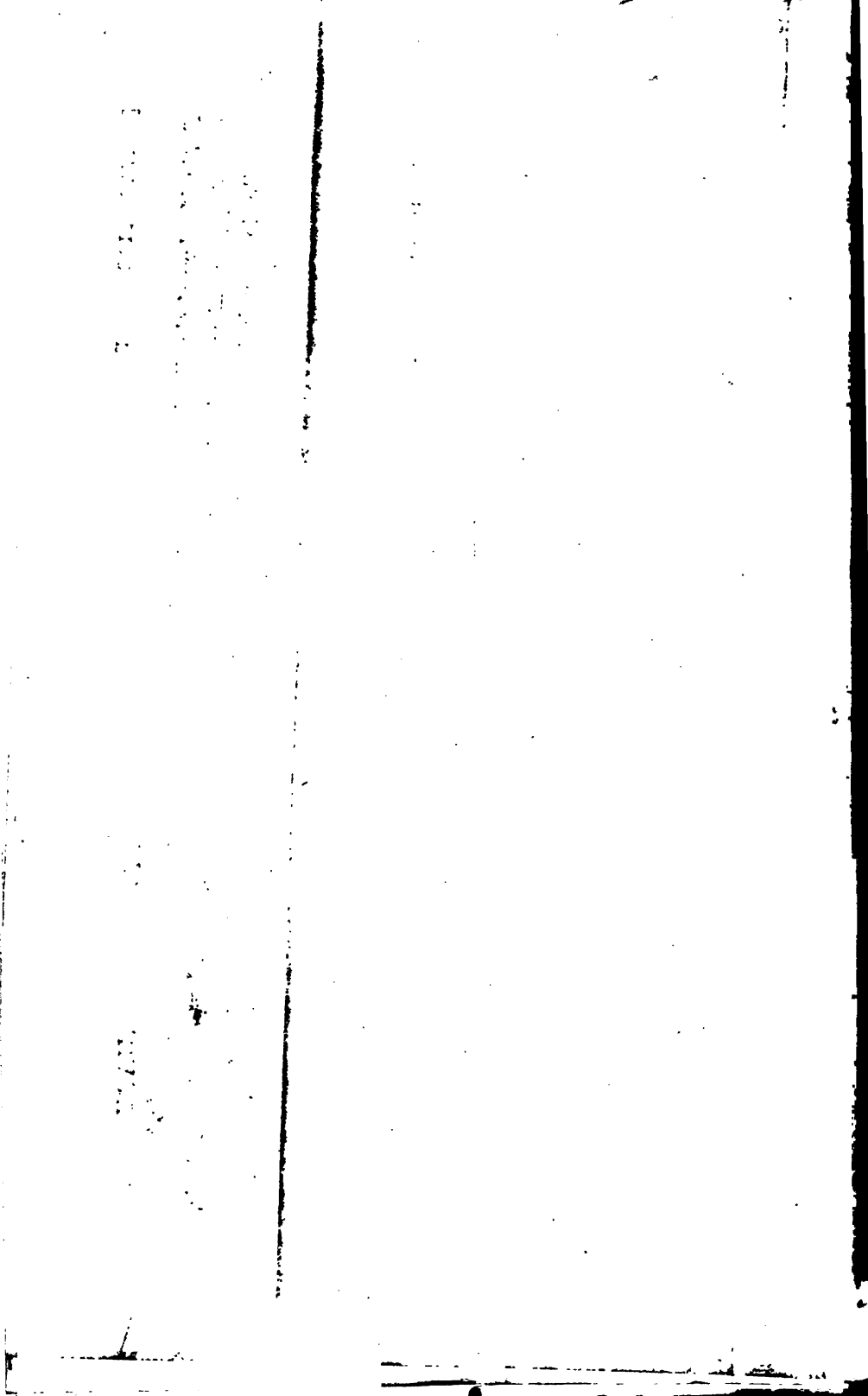
CHARLESTON, S. C., FEBRUARY 15, 1879. }

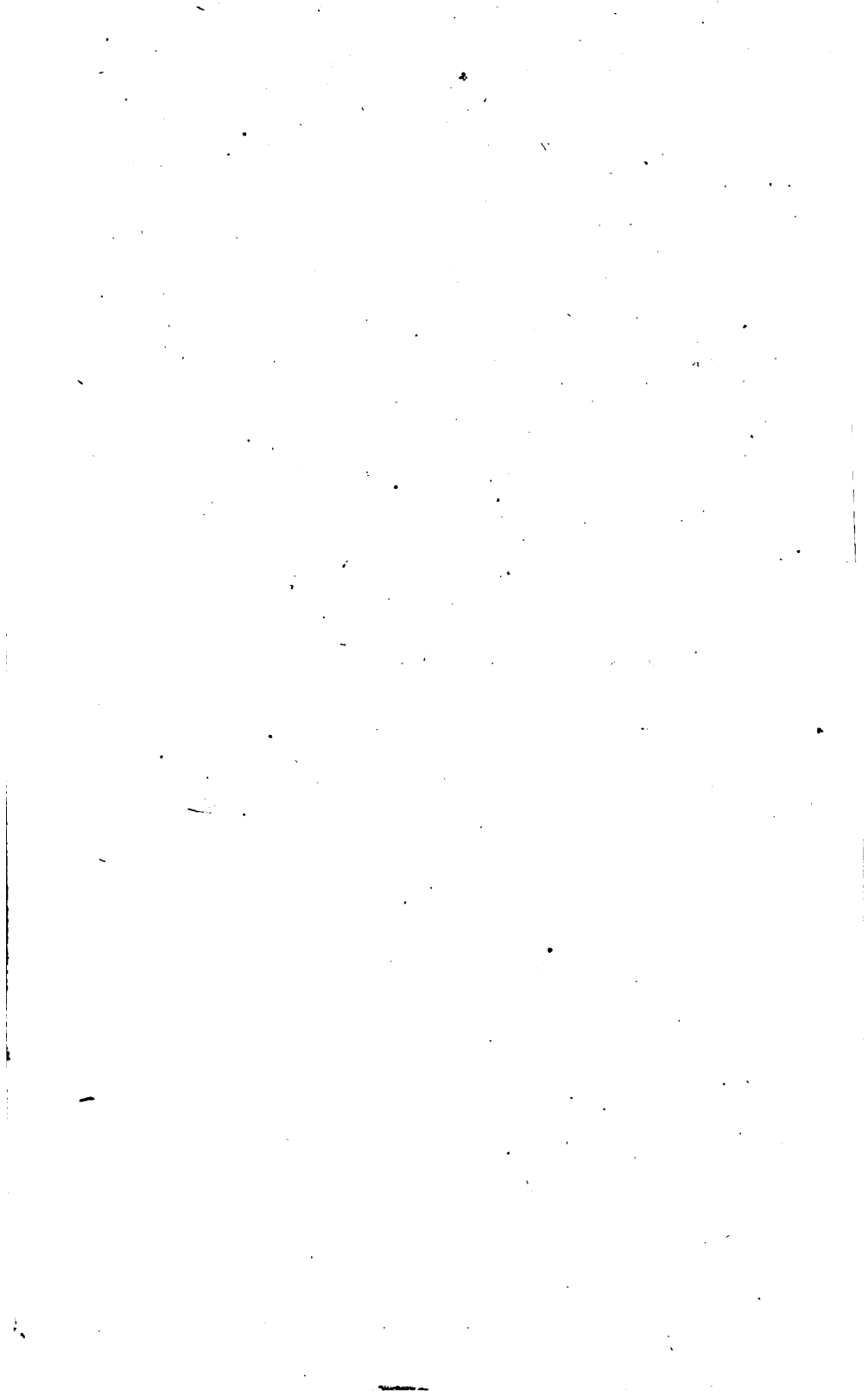
Capt. Wm. A. Courtenay, Charleston, S. C.:

DEAR SIR—Messrs. Frost and Barbot, after due reflection, concur with me that the proposed invitation to the Secretaries of War and the Navy to visit Charleston, involves an expenditure of money for the entertainment of these gentlemen not contemplated or authorized by the Chamber and which

WM. A. COURTENAY,

Second Vice-President.





BLANK FORMS

For practice in the Court of Arbitration, may be obtained on application at the Rooms of the Chamber of Commerce.

